

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JORGE TORRES,

Plaintiff,

v.

No. 9:06-CV-750
(FJS/GJD)

GLENN GOORD, et al.,

Defendants.

APPEARANCES:

JORGE TORRES, pro se
01-A-5881
Upstate Correctional Facility
PO Box 2000
Malone, NY 12953

HON. ANDREW M. CUOMO
Office of Attorney General
The Capitol
Albany, NY 12224

OF COUNSEL:

ROGER W. KINSEY,
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.J.:

ORDER

Presently before the Court is Magistrate Judge Gustave J. DiBianco's Report-Recommendation filed on April 11, 2007 in which he recommends that defendants' motion to dismiss for failure to prosecute be GRANTED and the complaints be dismissed in their entirety. Magistrate Judge DiBianco's Report-Recommendation was mailed to plaintiff's last known

address, but was returned to the Clerk's office marked, "RETURN TO SENDER - INMATE RELEASED/DISCHARGED - NO FORWARDING ADDRESS." Failure to notify the Court of a change of address as required by Local Rule 10.1(b) may result in dismissal of the action. Therefore, in light of plaintiff's failure to notice the Court of his change of address, it is hereby

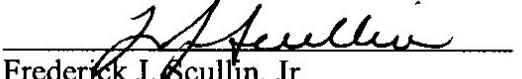
ORDERED, that the Report-Recommendation filed by Magistrate Judge Gustave J. DiBianco on April 11, 2007 is, for the reasons stated therein, ACCEPTED in its entirety; and it is further

ORDERED, that defendants' motion to dismiss for failure to prosecute is GRANTED and the complaints are DISMISSED IN THEIR ENTIRETY, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of the defendants and close this case.

IT IS SO ORDERED.

DATED: May 1, 2007
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge